

OGC Has Reviewed

OGC 7-2243a

7 January 1958

MEMORANDUM FOR: Comptroller

SUBJECT: Applicability of Comptroller General Decision  
B-134318 dated 15 November 1957 to Agency  
Training and Education Programs

1. Your memorandum of 30 December 1957 inquired as to what, if any, limiting effect subject decision of the Comptroller General might have on the training program of this Agency. This was with particular reference to authority to pay expenses in connection with attendance at external training courses or conferences on such general subjects as management, machine methods or research.

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2. Subject decision, as you indicate, limits attendance at meetings to those "peculiarly associated with the work of an agency in the performance of its statutory functions and not to general problems such as management, which are common to all agencies." The question arose because of an inquiry by the Department of Commerce as to whether attendance by officials at a management conference would be within the terms of the Department of Commerce Appropriation Act in part as follows:

"Appropriations in this title available for salaries and expenses shall be available for expenses of attendance at meetings of organizations concerned with the activities for which the appropriations are made; \* \* \*

The Comptroller held that the quoted legislation could not be considered as authority for payment of expenses of attendance at a management conference.

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We therefore are of the opinion as stated above that the Comptroller General's decision in question does not have a limiting effect on the payment by the Agency of expenses of employees incurred in connection with the external training program.

4. In reply to your inquiry as to whether such expenses should be paid from vouchered or confidential funds we have no legal objection to the use of either source and feel that security or cover implications should be the guide.

5. The above was discussed informally with the official at the General Accounting Office who drafted the Comptroller General's decision in question. (Mr. James Campbell, code 129, ext 5418.) Although, of course, he could not commit the Comptroller General, who is said to be giving the subject matter close scrutiny, he felt that our broad legislative authority would prevent any difficulty in the event of a GAO audit.

OCC:OEP:mpg

- Orig & 1 - Addressee
- 1 - Subject - *Pers. 7*
- 1 - Signer
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- 1 - Legal
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(s)  
  
 Assistant General Counsel

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MEMORANDUM FOR: General Counsel

SUBJECT: Applicability of Comptroller General Decision  
B-134318 dated 15 November 1957 to Agency  
Training and Education Programs

1. Section 4 of Public Law 110, 81st Congress, authorizes the Director to pay tuition and other expenses of special instruction, education and research for Agency personnel in addition to normal pay and allowances. Under this authority, as you are aware, the Agency undertakes training activities relating to administrative functions, such as management, with various non-governmental organizations and institutions, examples of which are:

Advanced Management Program

Accounting for Executives

Accounting Methods Class

Electronic Data Processing

Meetings in New York and  
Chicago on the application  
of electronic computers

Exhibit of business machines

Conference on Operational  
Research

Annual Conference

2. A recent Comptroller General Decision, B-134318, dated 15 November 1957, reaches a conclusion that appropriations of the Department of Commerce which specify that funds provided "shall be available for expenses of attendance at meetings or organizations concerned with the activities for which the appropriations are made x x x x" may not be used to pay expenses

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for attending a conference of the Brookings Institute relating to management. As justification for this conclusion the decision discussed the legislative history relating to the above-quoted appropriation language which indicated that the authorization was to be limited to attendance at meetings "peculiarly associated with the work of an agency in the performance of its statutory functions not to general problems, such as management, which are common to all organizations".

3. In view of the question presented by the Comptroller General's Decision referred to in the foregoing paragraph, your opinion is requested as to the effect, if any, of this decision on the Agency's authority to pay salary, transportation and per diem expenses of employees incident to their attending approved external training courses and to pay such expenses incident to their attending conferences relating to such general subjects as management, machine methods or research. Also, if the Agency does have authority to pay such expenses may they be paid from vouchered funds or should these payments be made from confidential funds.



Comptroller

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